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FM AMEMBASSY JAKARTA

TO RUEHC/SECSTATE WASHDC IMMEDIATE 1019
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBJ/AMEMBASSY BEIJING 5752
RUEHBY/AMEMBASSY CANBERRA 3431
RUEHLM/AMEMBASSY COLOMBO 1519
RUEHKA/AMEMBASSY DHAKA 1506
RUEHNE/AMEMBASSY NEW DELHI 2528
RUEHWL/AMEMBASSY WELLINGTON 3353
RUEHUL/AMEMBASSY SEOUL 5250
RUEHKO/AMEMBASSY TOKYO 2871
RUEHPB/AMEMBASSY PORT MORESBY 4137
RUEHHK/AMCONSUL HONG KONG 3181
RUEHBAD/AMCONSUL PERTH 1354
RHHJJPI/USPACOM HONOLULU HI
RHEFDIA/DIA WASHINGTON DC
RHEHNSC/NSC WASHDC
RUEAIIA/CIA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 JAKARTA 002295

SIPDIS

DEPT. FOR EAP, EAP/MTS, EAP/MLS, DRL, DRL/AWH
NSC FOR EPHU

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SUBJECT: MUNIR MURDER CASE -- COURT SAYS IT WILL RENDER
VERDICT ON DECEMBER 31

REF: JAKARTA 2244 AND PREVIOUS

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Classified By: Pol/C Joseph L. Novak, reasons 1.4(b+d).

¶1. (C) SUMMARY: Closing arguments have concluded in the trial of former intelligence official Muchdi Purwoprandjono for conspiring in the 2004 murder of human rights activist Munir Said Thalib. The South Jakarta Court announced that it will render its verdict on December 31. Despite problems in the prosecution's case--which include the retraction of testimony by witnesses--human rights activists remain hopeful for justice. The GOI has pressed the case hard and a conviction would be a solid step forward for accountability.
END SUMMARY.

COURT SETS DATE FOR VERDICT

¶2. (SBU) A key case for accountability is set to conclude in Indonesia. Closing arguments concluded this week in the trial of former intelligence official and retired general Muchdi Purwopranjono. Prosecutors reiterated that in the state's view Muchdi was the lead conspirator in Munir's September 2004 murder. They underscored their view that Muchdi ordered the murder because of anger at Munir's investigation of killings and disappearances of political opponents of the Suharto regime in the 1990's. They urged that he be given a 15-year prison sentence. (Note: Polycarpus Priyanto--who was an associate of Muchdi's--has already been found guilty of committing the murder and is currently incarcerated, sentenced to 20 years in prison.)

¶3. (U) The South Jakarta Court said it would announce a verdict in the case on December 31. Conforming to Indonesian practice, the verdict and the sentencing decision (if applicable) will be made simultaneously. Pol FSN has been attending the proceedings, as have personnel from other embassies. The case continues to net significant media interest.

SOME PROBLEMS FOR PROSECUTION

¶4. (C) The prosecution's case has its weaknesses. Prosecutors, for example, were unable to secure the direct testimony of Budi Santoso, a GOI official assigned to the Indonesian embassy in Islamabad. A statement made by Santoso was originally allowed in as evidence. That statement incriminates Muchdi in a conspiracy, but Santoso later tried to retract the statement, lessening its value. In addition, other prosecution witnesses have retracted their testimony.

¶5. (C) That said, human rights activists are crossing their fingers, hoping for a guilty verdict. Rafendi Djamin, a well-known human rights activist, told poloff that he was disappointed about the retraction of witness testimony and the failure of Santoso to appear. He felt the prosecution case was strong, however, and he said he was certain that there was more than enough evidence to convict Muchdi.

KEY CASE FOR ACCOUNTABILITY

¶6. (C) As flagged previously (see reftels), a conviction in this case would be a major win for accountability. It is very rare for someone of Muchdi's stature (a former top intelligence official, a former key general in charge of Army Special Forces, KOPASSUS, etc.) to face prison time in Indonesia. Human rights activists hope a conviction will lead to an investigation of other current or former GOI officials for possible involvement in the Munir slaying or other violations.

¶7. (C) To its credit, the Indonesian government has pressed the case hard, doing so at the direct order of the President.

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Muchdi's defense team, however, was solid, and made strong counter arguments. The judge, while respected, does not have a track record in similar cases, so it is difficult to gauge where he may come down.

HUME